

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Brian Keith Cannady**

**Docket No. 5:13-CR-187-1BO**

**Petition for Action on Supervised Release**

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brian Keith Cannady, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 6, 2014, to the custody of the Bureau of Prisons for a term of 28 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Brian Keith Cannady was released from custody on October 15, 2016, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant tested positive for cocaine on September 5, 2017, and admitted to using the substance as a means to deal with stress. The defendant has re-engaged in substance abuse treatment and has been accepted to participate in the HOPE Reentry Court to assist him with his drug addiction. We recommend allowing him to participate in this program in an effort to give him a strong foundation to maintain his sobriety. We are requesting to modify his conditions to include cognitive behavioral therapy and the DROPS program, both needed for the HOPE program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Erica W. Foy  
Erica W. Foy  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8665  
Executed On: December 06, 2017

**ORDER OF THE COURT**

Considered and ordered this 6 day of December, 2017, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge